

IN THE SENATE OF THE UNITED STATES.

MARCH 8, 1860.—Ordered to be printed.

Mr. BENJAMIN made the following

REPORT.

[To accompany Bill S. 256.]

*The Committee on Private Land Claims, to whom was referred the petition of Thomas L. Disharoon, have the honor to report:*

That they find the facts fully and correctly set forth in the following report, made in the House of Representatives, in the third session of the Thirty-Fourth Congress:

IN THE HOUSE OF REPRESENTATIVES, *January 24, 1857.*

*The Committee on Private Land Claims, to whom was referred the petition of Thomas L. Disharoon, of St. Louis, Missouri, have had the same under consideration, and respectfully report:*

It appears, from the evidence produced before your committee, that the petitioner holds four certain land warrants, one in the name of George Branch, issued under the act of February 11, 1847; one in the name of Louis Pinellot; one in favor of James Callaway; one in favor of Henry Willis, issued February 2, 1849, for one hundred and sixty acres each. It appears, further, from the evidence submitted to your committee, that the petitioner, in good faith, before said warrants issued, bought the right and claim of said warrantees, and took powers of attorney from them, respectively, authorizing him to receive and transfer and dispose of said land warrants when issued; that said petitioner was an aged and infirm man, ignorant of the law touching land warrants; and that he was advised, and believed that he could, in the manner above named, get a right and title to said warrants, and so bought and paid a fair price for them; and has, under his said powers of attorney, received said warrants, and has them now in his possession. The warrantees named in said warrants have gone to parts unknown, and consider, doubtless, that said Disharoon is, in law, owner of said warrants, as your committee think he is in equity; and it is morally impossible that they can be found to get their assignments on the same, as the law requires, in order to pass the legal title.

Your committee consider that the case of the petitioner is a very hard one; it appearing, in addition to the facts above stated, that after

he bought and paid for said bounty land claims he went to California, where he contracted disease in the efforts he made to provide a competency for his family and a maintenance for himself; that he is now blind, and has a young and dependent family looking to him for a support.

Under all the circumstances, your committee think the rigid rule of the law should be relaxed in this particular case, especially as it appears that the petitioner is an honest industrious citizen and no mere speculator, and that he can be relieved from great hardship and suffering without any injury to the government or third persons, the prayer of his petition ought to be granted, and the title of said land warrants vested in him, and that he be authorized to locate or dispose of said warrants; and for that purpose report the accompanying bill and recommend its passage.

The committee, therefore, report a bill in favor of petitioner, and recommend its passage.